

monthly mortgage payments. For these reasons, and so many more, Americans should not be forced to wait another day to purchase safe and affordable prescription drugs from outside the United States. While Americans all over the country are having to choose between their next meal and their necessary prescriptions, the large pharmaceutical companies continue to pressure Congress to delay consideration of any legislation to allow the importation of safe and lower priced prescription drugs.

I would like to also point out this is legislation on an appropriations bill, something I have long opposed, and still oppose. But there has been an unusual process taking place, and that process is one which has forced me to come to this situation. On two separate occasions the majority leader of the Senate assured me that legislation would be taken up before the Senate, and both times he has changed his mind. The majority leader resisted consideration of an amendment to allow for the importation of prescription drugs during debate on the Family Smoking Prevention and Tobacco Control Act.

At the time, the majority leader said on the Senate floor:

This is something that should have been done, I am sorry to say, years ago, not weeks ago.

This issue is important legislation. If it should have been done years ago, then why wasn't it brought up for consideration immediately after the tobacco bill in June? While the stand-alone bill to allow importation—S. 1232—was placed on the Senate's calendar on June 11, 2009, there has been no further effort by the majority leader to call it up for consideration. Instead, he sent me a letter stating:

I committed to take up legislation that would permit the safe importation of lower-cost prescription drugs as soon as practicable.

The practicable time was back in June. There is no practical reason to prevent the majority leader from calling up this bill for a vote at any time.

I was told verbally by the majority leader as short a time as 3 weeks ago that upon the completion of consideration of the Defense appropriations bill that this legislation would be brought to the floor of the Senate. Then a week later I was told, no; that is not going to be the case. So I have been waiting for "as soon as practicable," and so have millions of Americans who are looking for cheaper alternatives to the high-priced prescription drugs.

The majority leader also stated in his letter:

If this issue is not addressed during the full Senate's consideration of comprehensive health reform, I guarantee that I will move to proceed to S. 1232 before the end of the year.

The majority leader of the Senate assured me it would be taken up after completion of the Department of Defense appropriations bill, which we

have completed. Given the fact that it is possible that the health care reform bill will be brought up under a truncated pressure timeline, I have little faith that real, in-depth consideration of prescription drug import legislation will come about; therefore, I have no choice but to bring this issue up today as an amendment to this appropriations bill.

In the 2008 election cycle, pharmaceutical companies gave almost \$30 million in campaign contributions to Members of Congress. Just this year, according to an article published in *The Hill*, the prescription drug industry has given more than \$1 million to Republicans and Democrats, and the companies whip up their protector in Congress each time we bring forward legislation to help Americans get the imported prescription drugs they need.

Earlier this year, I read an e-mail sent by the top lobbyist for Pharmaceutical Research and Manufacturers of America, known as PhRMA—this was back in June—which stated:

The Senate is on the bill today. Unless we get some significant movement, the full blown Dorgan or Vitter bill will pass. We are trying to get Senator DORGAN to back down, calling the White House, and Senator REID. Our understanding is that Senator MCCAIN has said he will offer regardless. Please make sure your staff is fully engaged in this process. This is real.

That was an e-mail from a lobbyist of PhRMA, which has given millions and millions in campaign contributions.

Guess what. In the immortal words of Jack Nicholson: I'm back. I am back on the Senate floor, trying to help millions of Americans who have lost their jobs, struggling to put food on the table, by giving them the opportunity to save on their prescription drugs immediately.

Recently, the White House struck a deal with a pharmaceutical company to further protect its profits. The deal was bragged about by the head of the company's trade association, who cashed in for millions of dollars once he wrote the Medicare prescription drug benefit legislation as a Congressman. He was quoted in an article in the *New York Times*, published August 6, 2009, stating that the White House "wanted a big player to come in and set the bar for everybody else."

The same article stated:

Mr. Tauzin said the White House had tracked the negotiations throughout, assenting to decisions to move away from ideas like the government negotiation of prices or the importation of cheaper drugs from Canada. The \$80 billion in savings would be over a 10-year period.

Analyze that comment by the head lobbyist of one of the most powerful lobbies in Washington. He is saying the White House agreed to move away from—in other words, not support—ideas such as government negotiation of prices. Government negotiation of prices is absolutely necessary. We did it in the prescription drug bill, and it has reduced costs. In other words, the pharmaceutical companies would have

to compete for Medicare contracts. One would think that is an obvious solution to bringing down costs.

The second, of course, is the importation of cheaper drugs from Canada. Here everybody is talking about reducing health care costs. We know that importation of less expensive drugs would save health care costs for the American consumer. But the White House apparently, according to Mr. Tauzin, agreed they would not support importation of less expensive drugs from Canada—a remarkable comment. You know, people wonder why the tea parties are going on, why the approval rating of Congress is so low—amazing. The Fraser Institute found in 2008 that Canadians paid on average 53 percent less than Americans for identical brand-name drugs. Specifically, the institute found that the most commonly prescribed brand-name drug, Lipitor, is 40 percent less in Canada, Crestor is 57 percent less in Canada, and the popular arthritis drug Celebrex is 62 percent less expensive in Canada. Americans would love a 60-percent-off coupon for prescription drugs and deserve such a discount now more than ever.

I have been working on this issue for many years, and I will continue to do so. Americans should not have to wait a day longer for relief from higher prices for drugs. Inexplicably, the majority leader keeps delaying consideration of this needed legislation, which has now forced me to offer an amendment on the current appropriations bill. However, I believe it is necessary to protect all Americans' interests in obtaining affordable prescription drugs. The amendment states that no funds can be used to prosecute those who seek to import prescription drugs that have been approved by the FDA. If the big drug companies are getting a \$80 billion savings, shouldn't we give a savings to American consumers? Why not now?

Again, I want to say there is going to be a point of order raised on this bill, and with righteous indignation people will say it doesn't belong on an appropriations bill. We just finished a Defense appropriations bill loaded—and I will have a list of them—with unauthorized appropriations on that bill. Every appropriations bill we take up has unauthorized appropriations, ranging from \$300,000 for a museum in Nebraska to the addition of C-17s for \$2.5 billion. The argument that somehow we should not be taking up this legislation on this bill flies in the face of what has been common practice around here, even though I do not agree with it.

Let me say this, too. If I had full and complete confidence that this amendment would get a full and complete airing as an amendment on the health care bill, I would be glad to withdraw this amendment. I will be glad to withdraw this amendment if we have assurance this amendment will be taken up on the health care bill. There are all kinds of things that are going to be